

### **REMARKS/ARGUMENTS**

Claims 7-8, 11-12 and 19-21 are pending in this application. Claim 12 has been amended in response to the Examiner's rejection and a new claim 23 has been added. No new matter has been added with these amendments.

### **Claim Rejections – 35 USC §112**

Claims 12, 19 and 21 are rejected under 35 USC 112, second paragraph, as being indefinite. The Applicants have amended claim 12 and 19 to depend from claim 7. The Examiner has stated that claim 21 is outside the scope of claim 7 but claim 21 was previously rewritten as an independent claim and does not depend from claim 7.

### **Claim 22 and New Claim 23**

The Examiner has not considered independent claim 22 as submitted in the response to the final office action of 13 November 2009 and later in the response to the advisory action with a request for continued examination on 13 January 2010. Claim 22 is not listed as pending in the present office action. The compounds of claim 22 were extracted from claim 21 in the 13 November 2009 response as a result of amendments in the broad genus claims. The Examiner had previously stated that all compounds in claim 21 (which includes the compounds later moved from claim 21 into an independent claim 22) were allowable. See office action with a notification date of 6/8/10 where it states that claim 21 was rejected as being dependent on a rejected base claim but would be allowable if rewritten in an independent form. All compounds in claim 21, 22 and new claim 23 fall into the genus of group II under the Examiner's restriction of the core ring to pyrimidine (X1 and X2 are both nitrogen). See response to restriction requirement on 11/4/05.

The compounds of new claim 23 are specifically named and drawn in the examples of the specification. Support for these compounds can be found in the example, paragraph and page numbers listed after the compound name, as follows: N,N-Dimethyl-4-[6-(4-trifluoromethoxy-phenylamino)-pyrimidin-4-yl]-benzamide (Example 1, paragraph 99, page 22); N-(2-Morpholin-4-yl-ethyl)-4-[6-(4-trifluoromethoxy-phenylamino)-pyrimidin-4-yl]-benzamide (Example 2, paragraph 101, page 23); (6-Pyridin-4-yl-pyrimidin-4-yl)-(4-trifluoromethoxy-phenyl)-amine (Example 3, paragraph 103, page 23); [6-(1,4-Dioxo-8-aza-

spiro[4.5]dec-8-yl)-pyrimidin-4-yl]-(4-trifluoromethoxy-phenyl)-amine (Example 4, paragraph 105, page 24); [6-(3-Methanesulfonyl-phenyl)-pyrimidin-4-yl]-(4-trifluoromethoxy-phenyl)-amine (Example 5, paragraph 107, page 24); 3-[6-(4-Trifluoromethoxy-phenylamino)-pyrimidin-4-yl]-benzamide (Example 6, paragraph, page 25); [6-(3-Amino-phenyl)-pyrimidin-4-yl]-(4-trifluoromethoxy-phenyl)-amine (Example 7, paragraph 111, page); N-(2-Morpholin-4-yl-ethyl)-N'-(4-trifluoromethoxy-phenyl)-pyrimidine-4,6-diamine (Example 10. Paragraph 118, page 27); (6-Imidazol-1-yl-pyrimidin-4-yl)-(4-trifluoromethoxy-phenyl)-amine (Example 11, paragraph 120, page 27); and {6-[2-(3-Imidazol-1-yl-propylamino)-pyridin-4-yl]-pyrimidin-4-yl}-(4-trifluoromethoxy-phenyl)-amine (Example 12, paragraph 122, page 27).

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

The Director is authorized to deduct any necessary fees from, or credit any overpayment to, the undersigned's Deposit Account No. 50-1885.

Respectfully submitted,

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Date: May 21, 2010

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